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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,454	01/23/2002	Henrik Stiesdal	PATRADE	6468

7590 04/23/2003
James C Wray
1493 Chain Bridge Road Suite 300
McLean, VA 22101

EXAMINER

MOHANDESI, IRAJ A

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/980,454

Applicant(s)

STIESDAL, HENRIK

Examiner

Iraj A Mohandesi

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8 and 10 is/are rejected.
- 7) ☒ Claim(s) 4 and 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. **Claims 1,2,7** are objected to because of the following informalities. In claim 1, line 6 "a certain amount" is indefinite and vague, and the limitation in line 10 "may be deposited" is it deposited or is not disposed ?

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Regarding **claim 7**, the phrase "the like" renders the claim indefinite, because the claim includes elements not actually disclosed (those encompassed by "and the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-3,6-8 and10** are rejected under 35 U.S.C. 102(b) as being anticipated by Jallen US patent 4,461,957. Jallen'957 discloses a method for operating a windmill (see Fig. 1,2) where a primary generator (20, column3, line 25, Fig. 1,2) is driven by the windmill rotor (11,13 rotating shaft ,column 3,line 22, Fig.1,2), by a gear

mechanism (12, column 3, line 24, Fig. 1, 2), with approximately constant rpm (25-35 mph, column 3, line 20), and the primary generator there is disposed an apparatus comprising a slip generator (35, slip calculator Fig. 1, 2) and inherently a resistor adapted thereto, and which may transmit the torque to the primary generator (see the connection between primary generator and slip correcting mechanism in Fig. 1, 2), with an amount of slip, and the power connected to the network (see Fig. 1, 2) the output of primary generator (20) is connected to the "power grid" network, the total power output from the windmill is kept constant over a range of slip (see the feed back from tachometer to slip calculator regulating the constant output power via integrator) the apparatus can inherently be operated both as motor and as generator (any induction generator can operate as a motor) the resistor in slip discriminator 39 is inherently used to prevent small slip).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Jallen'957 and in view of ordinary skill in art.

Jallen'957 discloses a method for operating a windmill (see Fig. 1,2) where a primary generator (20, column 3, line 25, Fig. 1,2) is driven by the windmill rotor (11,13 rotating shaft, column 3, line 22, Fig. 1,2), by a gear mechanism (12, column 3, line 24, Fig. 1,2), with approximately constant rpm (25-35 mph, column 3, line 20), and the primary generator there is disposed an apparatus comprising a slip generator (35, slip calculator Fig. 1,2) and inherently a resistor adapted thereto, and which transmit the torque to the primary generator (see the connection between primary generator and slip correcting mechanism in Fig. 1,2) ,with an amount of slip, and the power connected to the network (see Fig. 1,2) the output of primary generator (20) is connected to the "power grid "network ,the total power output from the windmill is kept constant over a range of slip (see the feed back from tachometer to slip calculator regulating the constant output power via integrator) the apparatus can inherently be operated both as motor and as generator (any induction generator can operate as a motor) the resistor in slip discriminator(39) is inherently used to prevent small slip).

However **Jallen'957** teaches all limitation of the claimed invention except the slip has the magnetite of -50 % to +50%. It would have been obvious for one having ordinary skill in the art at the time the invention was made to provide the slip with the magnetite of -50 % to +50%.

Allowable Subject Matter

7. **Claims 4,9** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Communication

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A Mohandesi whose telephone number is (703)305-3242. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 703-308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9314 for regular communications and (703)872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)306-0377.

IM April 16, 2003


NESTOR RAMIREZ
SUPERVISORY PATENT EXAMINER
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